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Customer No.**26874**

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appl. No. : 09/938,205 Confirmation No. 1187
Applicants : Myers *et al.*
Filed : August 23, 2001
Title : ANTIMICROBIAL
COATED METAL
SHEET
TC/A.U. : 1742
Examiner : King, Roy V.
Docket No. : 1606001/0482494
Customer No : 26874

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Supplemental Response

Dear Sir:

In response to the nonfinal Office Action, dated June 25, 2004, and *further* to the Applicant's Response and Amendment of September 24, 2004, please consider the following remarks.

Remarks

Claims 1-4, 7, 9-22, 24-28, 30-52, 56-64, and 66-73 have now been canceled. Claims 5,6,8,23,29,53-55 and 65 remain in the application.

In the earlier submitted Applicant's Response and Amendment of September 24, 2004 (*duplicate* attached for reference purposes), Applicant's included a Fee Transmittal Form (PTO/SB/17) authorizing payment of the extra claim fees.

However, Applicant's failed to include the separate credit card information and

09/29/2004 MAHMED1 00000016 09938205

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Appl. No. 09/938,205

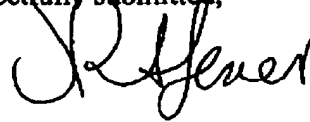
Suppl. Response dated Tuesday, September 28, 2004

Reply to Official Action of June 25, 2004

authorization on form PTO-2038. Applicants now submit herewith the completed credit card information and authorization on form PTO-2038 for payment of any extra claim fees due.

In view of the above, it is respectfully submitted that the claims as amended and presented before the Examiner are in condition for allowance. Accordingly, it is respectfully requested that a timely Notice of Allowance be issued in this case. It is believed that no extra fees are due for the claims. However, the Commissioner for Patents is authorized to charge any deficiency or credit any overpayment to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,



By

Stephen R. Albainy-Jenei
Registration No. 41,487
Attorney for Applicant(s)
FROST BROWN TODD LLC
2200 PNC Center, 201 East 5th Street
Cincinnati, Ohio 45202-4182
(513) 651-6839

Attachments:

Form PTO-2038

Copy of Amendment submitted September 24, 2004

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Appl. No. 09/938,205

Suppl. Response dated Tuesday, September 28, 2004

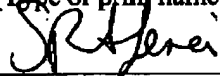
Reply to Official Action of June 25, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark
Office on the date shown below:

Stephen R. Albainy-Jenei

(Type or print name of person signing certification)



Signature

09/28/04

Date

FAX Telephone No.: (703) 872-9306Attn: King, Roy V.Art Unit No.: 1742Serial No. 09/938,205

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SEP 28 2004

Application No.: 09/938,205 Of: Myers et al.

Title: ANTIMICROBIAL COATED METAL SHEET

Enclosures: Amendment; Fee Transmittal; Return postcard.

SRA/cam 1606001.0482494 September 24, 2004

Please place the official stamp of the Patent Office on this card and return it to us for our files to constitute an acknowledgment by this Patent Office of receipt on the date stamped of the above identified paper.

FROST BROWN TODD LLC

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2004</h3> <p style="font-size: small; margin: 0;">Effective 10/01/2003. Patent fees are subject to annual revision.</p>		<p style="text-align: center; font-weight: bold;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/938,205</td> </tr> <tr> <td>Filing Date</td> <td>8/23/2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Myers et al.</td> </tr> <tr> <td>Examiner Name</td> <td>Ray King</td> </tr> <tr> <td>Art Unit</td> <td>1742</td> </tr> <tr> <td>Attorney Docket No.</td> <td>1606001.0482494</td> </tr> </table>		Application Number	09/938,205	Filing Date	8/23/2001	First Named Inventor	Myers et al.	Examiner Name	Ray King	Art Unit	1742	Attorney Docket No.	1606001.0482494
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">TOTAL AMOUNT OF PAYMENT</td> <td>(\$ 774.00)</td> </tr> </table>		TOTAL AMOUNT OF PAYMENT	(\$ 774.00)										
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<p>METHOD OF PAYMENT (check all that apply)</p> <p> <input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None </p> <p> <input type="checkbox"/> Deposit Account: </p> <p> Deposit Account Number: _____ Deposit Account Name: _____ </p> <p>The Director is authorized to: (check all that apply)</p> <p> <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. </p> <p style="text-align: center; font-weight: bold;">FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001 770</td> <td>2001 385</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 340</td> <td>2002 170</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 530</td> <td>2003 265</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 770</td> <td>2004 385</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005 160</td> <td>2005 80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1)</td> <td>(\$)</td> </tr> </tbody> </table> <p>2. 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SUBMITTED BY		(Complete if applicable)	
Name (Print/Type) <u>Stephen R. Albain-Jenei</u>	Registration No. (Attorney/Agent) <u>41,487</u>	Telephone <u>513-651-6839</u>	Date <u>9-24-04</u>
Signature <u>[Signature]</u>	_____		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the nonfinal Office Action, dated June 25, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 18 of this paper.